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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,917	10/04/2001	Todd Little		3141

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EXAMINER

WOOD, WILLIAM H

ART UNIT PAPER NUMBER

2124

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/970,917

Applicant(s)

LITTLE ET AL.

Examiner

William H. Wood

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)):

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 021902.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-40 are pending and have been examined.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 19 February 2004 was considered by the examiner.

Drawings

2. Drawings received 04 October 2004 are accepted.

Specification

3. The use of the trademark Java, Windows, ActiveX, Rational Rose, and other products have been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

Claim Objections

4. Claims 7, 17, 27 and 37 are objected to because of the following informalities: each claim contains "applying" too often. Appropriate correction is required.

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5. Claim 11 is objected to because of the following informalities: phrase should read, "a Rational Rose modeler, *included*" (emphasis added). Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by
Goodwin et al. (USPN 6,199,195).

Claim 21

Goodwin disclosed a system for integrating software development and testing, comprising:

an expert system for developing software application designs (*figure 3, elements 318, 320, 322, 324, 328, 330; column 3, lines 8-10 and 22-23; column 6, lines 38-41*);

a modeler for modeling said software applications (*figure 3, elements 302, 304, 306, 312, 316; column 1, lines 18-25; column 3, lines 4-6; column 6, lines 42-46; column 10, lines 54-56*);

a model repository for one of storing and retrieving application design models to be used with said modeler (*figure 3, elements 310, 314; column 10, lines 57-62*); and,

a software generator for generating software code in accordance with said application designs and said application design models (*figure 3, element 330*).

Claim 22

Goodwin disclosed the system of claim 21 wherein said expert system further includes means for specifying application design requirements (*column 6, lines 32-36; column 7, lines 63-64*).

Claim 23

Goodwin disclosed the system of claim 22 wherein said expert system further includes means for analyzing said application design (*column 7, lines 32-39*).

Claim 24

Goodwin disclosed the system of claim 23 wherein said expert system further includes means for modifying said software application design (*figure 3, element 322 and 328; column 7, lines 33-35*).

Claim 25

Goodwin disclosed the system of claim 24 wherein said expert system further includes means for software application code generation and implementation (*figure 3, element 330*).

Claim 26

Goodwin disclosed the system of claim 25 wherein said expert system further includes means for testing said software application implementation (*column 8, lines 15-16*).

Claim 27

Goodwin disclosed the system of claim 24 wherein said means for modifying said software application design includes means for applying a data entity pattern (*figure 3, template elements and 328*).

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Claim 28

Goodwin disclosed the system of claim 21 wherein said expert system is provided as a plugin to the system for software application development and modeling (*column 8, lines 14-19 and column 8, line 63 to column 9, line 3*).

Claim 29

Goodwin disclosed the system of claim 21 further comprising:

a database interface to allow retrieval of application design data from a relational database (*column 15, lines 14-15*); and

an interface repository for storing interface definition language files (*column 10, lines 44-47*).

Claim 30

Goodwin disclosed the system of claim 21 further comprising:

means for reverse engineering an interface definition language file to extract application design information (*column 11, lines 63-66; column 14, lines 47-50*).

Claims 1-20 and 31-40

The limitations of claims 1-20 and 31-40 are substantially the same as for system claims 21-30 and as such are rejected in the same manner. **Goodwin** disclosed Rational Rose (as indicated above) and a GUI environment (*column 5, line 49*).

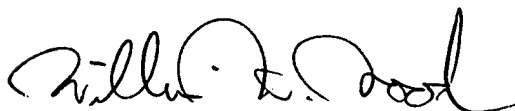
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Correspondenc Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Wood whose telephone number is (571)-272-3736. The examiner can normally be reached 9:00am - 5:30pm Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)-272-3719. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9306 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.



William H. Wood
December 8, 2004



TODD INGERBERG
PRIMARY EXAMINER